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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/813,794	03/22/2001	Mathilde Benveniste	2455-4626US1

CONFIRMATION NO. 3058

## FORMALITIES LETTER



\*OC000000006032915\*

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154

Date Mailed: 05/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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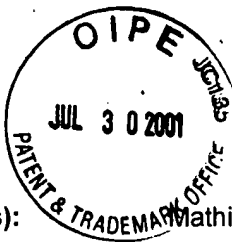
*A copy of this notice **MUST** be returned with the reply.*

NK  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/24/2001 HYUSUF1 00000121 012745 09813794  
01 FEB 05 130.00 CH



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

# 4

Applicant(s): Mathilde Benveniste

Attorney Docket No.: 113006

Application No.: 09/813794

Filing Date: 03/22/2001

Examiner Name:

Group Art Unit: 2681

Title: Asymmetric Measurement-Based Dynamic Packet Assignment system And Method  
For Wireless Data Services

COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231  
Box: Missing Parts

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
Filing Date Granted

Enclosed is the Declaration and Power of Attorney relating to the above-identified application.

Please charge **AT&T Corp. Deposit Account No. 01-2745** in the amount of \$130.00 to cover the filing fee surcharge. A duplicate copy of this letter is enclosed. In the event of any non-payment or improper payment of a required fee, the Assistant Commissioner is authorized to charge or to credit **AT&T Corp. Deposit Account No. 01-2745** as required to correct the error.

A copy of PTO-1533, Notice to File Missing Parts of Application, is also enclosed.

Date: July 25, 2001

By: Alfred G. Steinmetz  
Alfred G. Steinmetz  
Attorney for Applicant(s)  
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AT&T CORP.  
P.O. Box 4110  
Middletown, New Jersey 07748-4110

Complete Known

**FEE TRANSMITTAL**

Patent Fees are subject to annual revision.

Application Number	09/813794
Filing Date	03/22/2001
First Named Inventor	Mathilde Benveniste
Examiner Name	
Group/Art Unit	2681
Attorney Docket No.	113006

TOTAL AMOUNT OF PAYMENT	\$280
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**METHOD OF PAYMENT (check one)**

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 01-2745  
 Deposit Account Name AT&T CORP.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge Late Issue Fee Set in 37 CFR 1.18 at the Mailing Date of the Notice of Allowance

**FEE CALCULATION****1. FILING FEE**

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
101	710	Utility(37CFR 1.53(b)) / CPA(37CFR 1.53(d)) Filing Fee	
106	320	Design Filing Fee	
108	710	Reissue Filing Fee	
114	150	Provisional Filing Fee	

SUBTOTAL (1) 0

**2. CLAIMS**

☐ Filing Under 37CFR 1.53 (b)  
☐ CPA Under 37CFR 1.53 (d)  
☐ Amendment

	Extra Claims	Fee from below	Fee Paid
Total - 20 =	0	18	0
Ind. - 3 =	0	80	0
Multiple Dependent Claims			0

Large Fee Code	Entity Fee(\$)	Fee Description
103	18	Claims in excess of 20
102	80	Independent Claims in excess of 3
104	270	Multiple Dependent Claims
109	80	Reissue independent claims over original patent
110	18	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) 0

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	130
127	50	Surcharge - late provisional filing fee or cover sheet	
139	130	Non-English specification	
147	2520	For filing a request for reexamination	
112*	920	Requesting publication of SIR prior to Examiner action	
113*	1840	Requesting publication of SIR after Examiner action	
115	110	Extension for reply within first month	110
116	390	Extension for reply within second month	
117	890	Extension for reply within third month	
118	1390	Extension for reply within fourth month	
128	1890	Extension for reply within fifth month	
119	310	Notice of Appeal	
120	310	Filing a brief in support of an appeal	
121	270	Request for oral hearing	
138	1510	Petition to institute a public use proceeding	
140	110	Petition to revive - unavoidable	
141	1240	Petition to revive - unintentional	
142	1240	Utility issue fee (or reissue)	
143	440	Design issue fee	
122	130	Petitions to the Commissioner	
123	50	Petitions related to provisional applications	
126	240	Submission of Information Disclosure Statement	
581	40	Recording each patent assignment per property (times number of properties)	40
146	710	Filing a submission after final rejection(37 CFR 1.129(a))	
149	710	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) 280

**SUBMITTED BY**

Typed or Printed Name Alfred G. Steinmetz

**Complete (if applicable)**

Reg. Number 22971

Signature

Alfred G. Steinmetz

Date

July 25, 2001

Deposit Account User ID

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/813794
Filing Date	03/22/2001
First Named Inventor	Mathilde Benveniste
Group Art Unit	2681
Examiner Name	
Attorney Docket Number	113006

Total Number of Pages in this Submission

15

JUL 3 0 2001

**Enclosures (check all that apply)**

- ☒ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment / Response  
☐ After Final  
☐ Affidavits / Declaration(s)  
☒ Petition for Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☒ Response to Missing Parts under 37 CFR 1.52 or 1.53  
☐ Response to Missing Parts/Incomplete Application

- ☒ Assignment & Recordation Cover Sheet  
☐ Drawing(s) & Letter to Official Draftsman  
☐ Licensing-related Papers  
☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition  
☐ Petition to Convert a Provisional Application  
☐ Power of Attorney, Revocation Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund

- ☐ After Allowance Communication to Group  
☐ Appeal Communications to Board of Appeals and Interferences  
☐ Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Return Receipt Postcard  
☒ Additional enclosure(s) (please identify below)

Declaration For Utility Or Design Patent Application

Remarks

**CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

NAME	Samuel H. Dworesky		
ADDRESS	AT&T CORP. P.O. Box 4110		
CITY	Middletown	STATE	New Jersey
COUNTRY	United States of America	ZIP CODE	07748-4110
		FAX	732-368-6932

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME	Alfred G. Steinmetz	Reg. #	22971
TELEPHONE	908-221-5462		
SIGNATURE	<i>Alfred G. Steinmetz</i>	DATE	July 25, 2001

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 7/25/2001

Type or Printed Name	Nancy C. Marcovici		
Signature	<i>Nancy C. Marcovici</i>	Date	7/25/2001

SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231